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**ECF and FACSIMILE**

Hon. Carol B. Amon  
Chief Judge,  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Dear Chief Judge Amon:

I am writing to Your Honor in your capacity as Chief Judge.

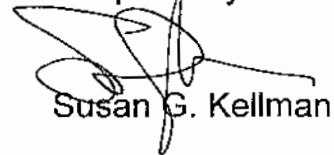
Earlier today counsel was informed that the MDC has adopted a new procedure – with no notice to the Bar – which changes the type of identification required for attorneys wishing to enter the facility to visit a client. Going forward, the MDC has determined that it will only accept the so-called “Secure Pass” which is issued by the state of New York. Previously, the MDC had accepted the Attorney Service Pass, issued by the SDNY – which, before being issued, is checked against the Appellate Division’s attorney roll. I immediately reached out to the state authorities and learned that the processing time for a “Secure Pass” is between 6-8 weeks. (The wait-time for the SDNY Attorney Service Pass is between 6-8 minutes.)

While I understand that the Court is loath to second guess the MDC, this decision will prevent attorneys, many of whom like myself practice only in the federal courts, from visiting with our clients for the next two months. Such a unilateral decision is a blatant interference with our clients’ Sixth Amendment right to counsel and will result in unnecessary and expensive delays when defendants arrive in the courthouse unprepared to enter guilty pleas or stand before the Court for sentencing.

It is my understanding that the new warden has made special arrangements with regard to attorneys employed by the Federal Defender, so such accommodations are possible. Here, the simplest and most practical solution would be for the MDC to give notice to the Bar, and to suspend the imposition of its new procedure until September 1, 2014. This would give all counsel an opportunity to obtain a Secure Pass, without interrupting the delivery of services to our clients.

I appreciate Your Honor taking the time to consider this dilemma and await the Court's suggestion with regard to how best to proceed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Susan G. Kellman', is written over the typed name. The signature is stylized with loops and a long horizontal stroke extending to the right.

Susan G. Kellman